



CITY OF MORGAN HILL
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

17575 Peak Avenue Morgan Hill CA 95037 (408) 778-6480 Fax (408) 779-7236
Website Address: www.morgan-hill.ca.gov / Email: General@ch.morgan-hill.ca.gov

PLANNING COMMISSION

OCTOBER 27, 2009

CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA

COMMISSIONERS

CHAIR, WAYNE TANDA
VICE-CHAIR, COMMISSIONER JOSEPH H. MUELLER
COMMISSIONER ROBERT L. ESCOBAR
COMMISSIONER NANCY K. HART
COMMISSIONER SUSAN KOEPP-BAKER
COMMISSIONER JOHN LIEGL
COMMISSIONER JOHN A. MONIZ

REGULAR MEETING - 7:00 P.M.

*** A G E N D A ***

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes*

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DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

ORDERS OF THE DAY

MINUTES: September 15, 2009 and October 13, 2009

PUBLIC HEARINGS:

Time Estimate

- 1) **15 Minutes** **SUBDIVISION, SD-09-05/DEVELOPMENT AGREEMENT, DA-09-04/ENVIRONMENTAL ASSESSMENT, EA-09-22: E. DUNNE-JASPER PARK;** A request for approval of a 15-lot subdivision representing phase 7 of the Jasper Park development located on the south side of E. Dunne Ave., west of San Benancio Way. The project is zoned R-2 3,000 Residential Planned Development. A development agreement will also be considered for 15 lots and its related commitments. (APN's 817-11-038)

Recommendation: Open Public Hearing/Adopt Resolution approving the request.

- 2) **30 Minutes** **DEVELOPMENT AGREEMENT AMENDMENT APPLICATIONS: A) DAA-05-13D: JARVIS-SOUTH VALLEY DEVELOPERS; B) DAA-06-03C: JARVIS-SOUTH COUNTY HOUSING; C) DAA-05-01D: COCHRANE-MISSION RANCH; D) DAA-05-02E: COCHRANE-LUPINE; AND E) DAA-04-05D: BARRETT-ODISHOO (VILLAS OF SAN MARCOS);** Requests to amend the Development Agreement for five on-going projects to re-incorporate the Development Schedule, extend development deadlines, modify Paragraph 18 allowing the City Manager to approve future development agreement amendment requests, and extend the dates for the BMR Reduction Program. Two projects (Mission Ranch and South Valley Developers' Madrone Plaza) are also requesting to amend their Development Agreements to incorporate additional allotments awarded in February 2009 as on-going RDCS projects.

Recommendation: Open Public Hearing/Adopt Resolutions recommending Council approval of the requests.

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OTHER BUSINESS:

- 3) **90 Minutes** **DRAFT HOUSING ELEMENT:** The proposed update of the [Housing Element to the General Plan](#) is intended to serve as a statement of City policy regarding existing and future housing in the community. The update includes information and has been structured to demonstrate compliance with State law.

Recommendation:

1. Open the public comment period and receive testimony regarding the draft Element.
2. Discuss the document/provide comment and direct staff to forward the draft Element for City Council review.

- 4) **5 Minutes** **RESIDENTIAL DEVELOPMENT CONTROL SYSTEMS (RDCS) QUARTERLY REPORT:** Quarterly review of the progress of residential projects that have been awarded building allocations under the City's Residential Development Control System.

Recommendation: Approve report with recommendation to forward to the City Council for approval.

- 5) **5 Minutes** **HOLIDAY SCHEDULE:** Consideration of possible change of meeting dates and/or cancellation of regular meetings in November and December.

Recommendation: Discussion.

TENTATIVE AGENDA FOR THE NOVEMBER 10, 2009 MEETING

- EA-09-18: City of Morgan Hill Trails Master Plan
- EA-09-26: City of Morgan Hill Bicycle Master Plan Update

ANNOUNCEMENTS

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

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NOTICE
AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

NOTICE

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act that are distributed to a majority of the Planning Commission less than 72 hours prior to an open session, will be made available for public inspection at the Office of the City Clerk at Morgan Hill City Hall located at 17555 Peak Avenue, Morgan Hill, CA, 95037 at the same time that the public records are distributed or made available to the Planning Commission. (Pursuant to Government Code 54957.5)